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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,581	09/04/2001	Erika C. Dabney	D/A1189	2510

7590 04/20/2006

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EXAMINER

QIN, YIXING

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/944,581

Applicant(s)

DABNEY ET AL.

Examiner

Yixing Qin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

In response to applicant's amendment received 2/2/06, all requested changes have been entered.

### ***Response to Arguments***

Applicant's arguments, filed 2/2/06, with respect to the rejection(s) of have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration due to the amendment of the claims, a new ground(s) of rejection is made in view of the print dialog box and properties of the dialog box in Microsoft Word 2000 (henceforth "Word"), which is included with this Office Action and labeled as "Reference Word." Other references are cited mainly for the purposes of addressing various dependent claims. The Examiner would like to point out that the Word print dialog is similar to the WordPerfect dialog as previously discussed in regards the McComb reference. The Word print dialog might be a better example to use than the McComb reference because one can clearly see the accessing of the print driver UI using the properties button of the print dialog box. Please see this final rejection below.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

I. Claims 1-3, 6-9, 16-18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Word in view of Shima (U.S. Patent No. 6,676,309)

1. **Claim 1**

**A print driver user interface method for printing a document, comprising at said print driver:**

- **receiving a number corresponding to a number of copies to be printed from an application;**
- Word discloses in Fig. A that 5 copies of a document are to be printed. Fig. C shows the 5 copies have been received. The Examiner interprets Fig. B as the print driver UI and one can see it is accessed by hitting the properties button in Fig. A. Figs. C, D and E are various screens showing how a user can choose copies in the advanced options of the Layout tab as shown in Fig. B. Figs. C, D and E are therefore part of the print driver UI, Fig. B.
- **receiving at least one command relating to an operation to be performed on each of the number of copies to be printed;**
- One can see in Figs. C, D and E various commands under the Document Options and Printer Features headings.
- **displaying a first feature to a user in response to receiving a plural number of copies of the document to be printed;**
- Please note the difference between Figs. D and E. Notice that when the number of copies is set to 1, the collated checkbox in Fig. E is disabled and that when the number of copies is 5 (i.e. more than 1), the collated checkbox in Fig. D is enabled. This shows that the print driver UI of Word can perform a function in response to receiving a plural number of copies of a document to be printed. This can read upon displaying a first feature.
- **offering the user a choice relating to printing copies of the document;**
- One can also read the options Document Options and Printer Features headings as choices for the user relating to the printing of copies.
- **transferring control of printing the number of copies from the application to the print driver.**
- Word teaches all of the previous steps, but does not explicitly disclose that the control of printing is transferred from the application to the driver. The applicant's specification notes in Fig. 3 and on page 5, lines 3-5 that when the user clicks ok on a print dialog box, the control is transferred to the print driver from the application. The secondary reference, Shima, teaches this idea in column 7, lines 7-12.
- Both references are in the art of printing through the use of a print dialog. Therefore, it would have been obvious to one of ordinary skill in the art at the

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time of the invention to have combined the teaching of Word and Shima, so the control of the printing to can be transferred to the print driver. The motivation would be to ensure proper printing as this is a necessary step in obtaining a printed document.

## 2. Claims 2 and 17

The method of claim 1, wherein

- **said offering includes permitting the user to reselect a number of copies of the document to be printed.**
- One can see in Fig. E of Word there is a box for the selection of copies to be printed. The user can reselect the number of copies as many time as he/she wishes.

## 3. Claims 3 and 18

The method of claim 2, wherein

- **said offering includes permitting the user to select to transfer control of printing the copies from the application to the print driver.**
- This has been addressed in the last limitation of claim 1.

## 4. Claim 6

The method of claim 1 further comprising:

- **offering the user to select the operation to be performed.**
- The options in Figs. B-E of Word can be selected by a user.

## 5. Claim 7

The method of claim 1 wherein :

- **the operation to be performed was received from the software application.**
- One can also see in Fig. F of Word that under zoom options, a pages per sheet and scale to letter size can be picked using the software application and gets reflected in the print driver UI in the Effects Tab.

## 6. Claims 8 and 20

The method of claim 1, further comprising

- **displaying a second feature to the user that explains the purpose and function of transferring control of printing the copies from the application to the print driver.**
- Word and Shima disclose various features in their print UI. However, neither Word nor Shima teach the displaying of a feature to explain the purpose and function of transferring control. However, the displaying of dialog/message boxes to help users or for explanation is well known (i.e. see Miller – U.S. Patent No. 5,442,687 and Palmer et al – U.S. Patent No. 5,825,355). One can see the help button on the interface of Word (i.e. the question mark on the top right hand

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of the window). One skilled in the art would also know that many programs include a help menu for the explanation of how to perform various tasks. The Examiner asserts that the displaying of an explanation of a task performed is an obvious engineering design choice (i.e. similar to if one wanted to have a message box popping up displaying what the number of copies box is for or what the print quality box is for in a print dialog). Therefore, it would be obvious for one of ordinary skill to have combined these teachings to create an invention that includes a feature that explains a particular function. The motivation would be to enable a user to know important information about a particular function in the print driver UI.

#### **7. Claim 9**

**The method of claim 1, further comprising**

- **reporting to the software application that one copy will be printed.**
- If the user has selected one copy in the number of copies box as is shown in Fig. E of Word, then one copy will be reported to be printed.
- Again, the Examiner would like to note that the idea of test/proof printing can read on this claim. Test/proof printing is well known in the art and involves the printing of one copy prior to the printing of multiple copies. (see, for example, Shima et al – U.S. Patent No. 6,104,498 – Fig 14. and column 14, lines 19-29).

#### **8. Claim 16**

- Please see claims 1 and 9 above.

II. Claims 4, 5, 10-15, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Word in view of Shima (U.S. Patent No. 6,676,309) and further in view of Fischer (U.S. Patent No. 6,762,852)

#### **9. Claims 4 and 19**

**The method of claim 3, wherein**

- **said permitting the user to select to transfer control includes permitting the user to select there is a problem printing multiple copies.**
- Both Word and Shima teach ways to print multiple copies of a document using a print driver UI. Neither Word nor Shima explicitly teach that a user can select that there is a problem printing multiple copies. However, the tertiary reference, Fischer, discloses in column 4, lines 66-67 and column 5, line 1-3 that an error message is displayed that tells the user that a printer is not capable of printing all the features required by the user and asks whether the user wants to print anyway. If the user is to select to continue printing, the user acknowledges that there is a possible error in the printing. Fischer discloses that the features that

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could be problematic on column 4, lines 51-56 and includes "number of copies" on lines 52-53.

- The Examiner would like to note that proofing/test printing a document is understand to be a way to print one copy of a document, which effectively addresses the idea of having an user check a problem printing multiple copies box and having the number of copies set to one. (Note Gauronski – U.S. Patent No. 5,164,842, Fig. 11)
- All three reference are in the art of printing through the use of a dialog. This will serve as the motivation for the combination of these references from hereon. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine particular teachings of all three references to create a print driver UI that displays a dialog to enable a user to acknowledge that a problem occurred with printing multiple copies. The motivation would be to help a user figure out the problem the user is having with printing multiple copies of a document.

#### 10. Claim 5

The method of claim 1 wherein

- **the first feature informs the user that the application may have a problem printing multiple copies.**
- Again, from claim 1 above, Word disclosed the displaying of a collate feature in response to the user setting a plural number of copies. Shima was merely cited for the transferring of control. The features from Word or Shima do not explicitly disclose that it informs the user that the application may have a problem printing multiple copies. However, Fischer, from claim 4 above, teaches error messages that can be displayed and that the number of copies could be one of those problematic features.
- All three references are in the art of printing using a print dialog. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the particular features of all three inventions to obtain a print driver UI capable of displaying a first feature to a user notifying that there is a problem printing multiple copies. The motivation would be to allow an user to now that the particular combination of copies and/or options selected could cause errors in printing and to look for a solution.

#### 11. Claim 10

- These limitations have been discussed in claims 1 and 4 above.

#### 12. Claim 11

- Please see claim 6 above.

#### 13. Claim 12

- Please see claim 7 above.

**14. Claims 13 and 14**

- None of the references disclose duplex or stapling options. However, the Examiner takes Official Notice that duplexing and stapling are very common printing options.

**15. Claim 15**

- The references teach in claim 8 the idea of using a message or dialog box to display messages or instructions. However, none of the references explicitly teach the instructing of an user how to access the print driver UI. However, one of ordinary skill knows that using a help menu as discussed above is a conventional way in which an user can obtain information regarding how to perform various tasks. It would be an obvious design choice to simply combine pop up help boxes relating to performing a task when a user is choosing options for that task with the particular print driver UI features as disclosed by Word, Shima and Fischer. The motivation would be to enable an user to receive pertinent information regarding printing using a print driver UI.

**16. Claim 21**

**A print driver UI method for printing copies of a document, comprising:**

- **receiving a number corresponding to a plural number of copies of the document to be printed from a software application;**
- Please see claim 1 above.
- **receiving at least one command relating to one of stapling or duplexing being performed on each of the plural number of copies to be printed;**
- Please see claims 13 and 14 above.
- **displaying a first feature to a user that informs the user that the software application may have a problem printing multiple copies and instructs the user on how to access the print driver UI;**
- Please see claims 5 and 15 above.
- **offering the user an opportunity to reselect the number of copies to be printed;**
- Please see claims 2 above.
- **offering the user an opportunity to select there is a problem printing multiple copies**
- Please see claim 4 above.
- **transferring control of printing the copies from the software application to the print driver in response to a user selection.**
- Please see the last limitation of claim 1 above.
- **displaying a second feature to the user that explains the purpose and function of transferring control of printing the copies from the software application to the print driver; and**
- Please see claim 8 above.



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- **reporting to the software application that one copy will be printed.**
- Please see claim 9 above.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yixing Qin whose telephone number is (571)272-7381. The examiner can normally be reached on M-F 9:30-6:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached on (571)272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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